

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MARYLAND  
(SOUTHERN DIVISION)**

**U.S. EQUAL EMPLOYMENT  
OPPORTUNITY COMMISSION,**

**Plaintiff,**

**v.**

**FREEMAN,**

**Defendant.**

**Case No. 8:09-CV-02573-RWT**

**DEFENDANT'S MOTION FOR PARTIAL SUMMARY JUDGMENT**

Pursuant to Fed R. Civ. P. 56(b), Defendant Freeman moves for summary judgment as to all claims in this lawsuit relating to decisions not to hire applicants based on criminal history that were made more than 300 days before the date on which Plaintiff EEOC notified Freeman it had expanded its investigation of this matter to include Freeman's use of criminal history information. As explained in the accompanying Memorandum of Law, challenges to these hiring decisions are time-barred.

Respectfully submitted,

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/s/ Donald R. Livingston

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**CERTIFICATE OF SERVICE**

This is to certify that the undersigned caused to be served on September 7, 2010 the foregoing Defendant's Motion for Partial Summary Judgment, and the accompanying Memorandum of Law, via email and first class mail, postage prepaid, to the following:

Debra M. Lawrence  
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/s/ Paul E. Mirengoff

Paul E. Mirengoff